

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CARRIE HALL,

Plaintiff,

v.

STEVE CAULDWELL,

Defendant.

Case No. C10-5473RBL/JRC

REPORT AND RECOMMENDATION

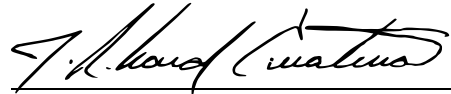
NOTED for:
November 26, 2010

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(A) and (B) and Local Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4. On August 17, 2010, mail sent to the plaintiff was returned as undeliverable (Dkt. # 6 and 7). It has been sixty days since that mail was returned and the court does not have a current address for the plaintiff.

Local Rule 41(b)(2) allows for dismissal without prejudice for failure to prosecute in this circumstance. The court recommends the action be dismissed without prejudice for plaintiff's failure to keep the court apprised of her address and failure to prosecute.

Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have fourteen (14) days from service of this Report to file written objections. See also Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those objections for purposes of appeal. Thomas v. Arn, 474 U.S. 140 (1985). Accommodating the time limit imposed by Rule 72(b), the clerk is directed to set the matter for consideration on November 26, 2010, as noted in the caption.

Dated this 22nd day of October, 2010.

A handwritten signature in black ink, appearing to read "J. Richard Creatura", written over a horizontal line.

J. Richard Creatura
United States Magistrate Judge